

## Introduced by Senator Alarcon

February 24, 2006

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An act to amend Section 7060 of the Government Code, relating to housing.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1834, as introduced, Alarcon. Housing: residential real property.

Existing law, the so-called Ellis Act, generally prohibits public entities from adopting any statute, ordinance, or regulation, or taking any administrative action, to compel the owner of residential real property to offer or to continue to offer accommodations, as defined, in the property for rent or lease.

This bill would define "to go out of business" for purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 7060 of the Government Code is  
2     amended to read:  
3     7060. (a) No public entity, as defined in Section 811.2, shall,  
4     by statute, ordinance, or regulation, or by administrative action  
5     implementing any statute, ordinance or regulation, compel the  
6     owner of any residential real property to offer, or to continue to  
7     offer, accommodations in the property for rent or lease, except  
8     for guestrooms or efficiency units within a residential hotel, as  
9     defined in Section 50519 of the Health and Safety Code, if the  
10    residential hotel meets all of the following conditions:

1 (1) The residential hotel is located in a city and county, or in a  
2 city with a population of over 1,000,000.

3 (2) The residential hotel has a permit of occupancy issued  
4 prior to January 1, 1990.

5 (3) The residential hotel did not send a notice of intent to  
6 withdraw the accommodations from rent or lease pursuant to  
7 subdivision (a) of Section 7060.4 that was delivered to the public  
8 entity prior to January 1, 2004.

9 (b) For the purposes of this chapter, the following definitions  
10 apply:

11 (1) “Accommodations” means either of the following:

12 (A) The residential rental units in any detached physical  
13 structure containing four or more residential rental units.

14 (B) With respect to a detached physical structure containing  
15 three or fewer residential rental units, the residential rental units  
16 in that structure and in any other structure located on the same  
17 parcel of land, including any detached physical structure  
18 specified in subparagraph (A).

19 (2) “Disabled” means a person with a disability, as defined in  
20 Section 12955.3 of the Government Code.

21 (3) *“To go out of business” means to discontinue in the*  
22 *business or occupation of being a landlord.*